

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 1:20-mj- <u>306</u>
)	
PAUL BURKE,)	
)	
Defendant.)	

AFFIDAVIT IN SUPPORT OF A CRIMINAL INFORMATION

I, Investigator John, W, Deak, being duly sworn, state:

INTRODUCTION

1. I am an investigative supervisor with the Fort Belvoir Police Department. I have held this position since February 2019. My responsibilities include investigating violations of Federal and State law, including larceny investigations.

2. This affidavit is made in support of a criminal information charging that between on or about May 21, 2018 through on or about April 2, 2019, at Fort Belvoir, within the special maritime and territorial jurisdiction of the United States, in the Eastern District of Virginia, Paul Burke did take and carry away, with intent to steal and purloin, private property of another, namely, Business Opportunities for the Blind, in violation of Title 18, United States Code, Section 661.

3. The facts and information contained in this affidavit are based upon my personal knowledge of the investigation, as well as the observations of other law enforcement officers involved in this investigation. All observations that were not personally made by me were related to me by the person(s) who made such observations.

4. This affidavit contains the information necessary to support probable cause. The affidavit does not include each and every fact and matter observed by me or known to the government.

PROBABLE CAUSE

5. Business Opportunities for the Blind operates a snack bar within Building #1458 at Fort Belvoir. The snack bar is open 24 hours a day, 7 days a week. It is not manned by a cashier, but instead, requires customers to scan the items they wish to purchase and then pay using a credit card. Transactions are recorded by video and a log of what is purchased is created.

6. Witness 1 (W-1), who is blind and manages the snack bar, discovered that merchandise had gone missing without payment for a while. W-1's spouse reviewed video footage from the snack bar. That video depicted an individual scan one item and then waive the scanner over the other items without scanning those items. As a result, the individual was charged for a single item. The individual paid for that single item, but then placed all of the items (scanned and unscanned) in a bag and left with all of the items.


7. W-1 reported this theft to the Witness 2 (W-2), who is a director in the building in which the snack bar is located. W-2 identified the individual in the video as PAUL BURKE, a Fort Belvoir employee who W-2 supervises.

8. Investigators reviewed video and transaction logs for BURKE's transactions from May 21, 2018 through April 2, 2019. The footage depicted BURKE repeatedly use the same scheme described above to pay for one item and steal multiple items. From reviewing video footage and transaction receipts, W-1 estimated a total loss of approximately \$4,080 from BURKE's actions from May 21, 2018 through April 2, 2019.

9. On April 26, 2019, an investigator interviewed BURKE. BURKE waived his rights and acknowledged that he had stolen items from the snack bar for months, but would not argue against evidence that he had been doing this for more than a year. He acknowledged that video recordings probably revealed that he was "ripping off" the snack bar. BURKE stated that he placed a lot of the unpaid items in a communal area in his office and his coworkers helped themselves to the items. He did not tell his coworkers that the items were stolen.


CONCLUSION

10. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that between on or about May 21, 2018 through on or about April 2, 2019, at Fort Belvoir, which is located within the special maritime and territorial jurisdiction of the United States, in the Eastern District of Virginia, PAUL BURKE, did take and carry away, with intent to steal and purloin property belonging to Opportunities for the Blind, in violation of Title 18, United States Code, Section 661.



John W. Deak
Supervisory Investigator
Fort Belvoir Police Department

Subscribed and sworn to before me on ¹⁹ 8 October, 2020



Notary Public
Traci J. Voelke

